GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:649
ANSWERED ON:26.02.2016
Violation of Code of Ethics by Doctors
Chandumajra Shri Prem Singh;Selvam Shri V. Panneer

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government has received any reports/complaints with regard to endorsement of commercial products by the Indian Medical Association in violation of code of ethics for doctors;

(b) if so, the details thereof and the response of the Government thereto;

(c) whether the Government proposes to bring in strict norms in this regard with the provision of punishment for violation of code of ethics by doctors;

(d) if so, the details thereof and if not, the reasons therefor ; and

(e) whether there are reports of harassment of whistleblowers by the IMA office bearers in this regard, if so, the details thereof and the corrective steps proposed by the Government in this regard?

Answer

ANSWER
THE MINISTER OF HEALTH AND FAMILY WELFARE
(SHRI JAGAT PRAKASH NADDA)
(a) & (b): Medical Council of India (MCI) informed that the Council had issued a Show Cause Notice on 18.08.2010 to Secretary, Indian Medical Association (IMA) for endorsing products in violation of provisions of the Indian Medical Council (Profession Conduct, Etiquette and Ethics) Regulation, 2002 in a complaint filed by Ms. Bindu M. V. Accordingly, the Ethics Committee decided to remove the name of President and Secretary, IMA from the Indian Medical Register for a period of 6 (Six) months. However, the same was stayed by Hon'ble High Court of Delhi on 29.11.2010 in the matter of WP (C) No. 7987 of 2010.

(c) & (d): In order to regulate the conduct of doctors, the Medical Council of India (MCI), with the prior approval of the Central Government, has notified Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002.
MCI or the appropriate State Medical Councils have been empowered to take disciplinary action against a doctor for violation of the provisions of the aforesaid Regulations. As and when complaints are received against the violation of code of ethics for doctors, such complaints are referred by MCI to the concerned State Medical Councils where the doctors/medical practitioners are registered. The MCI is an Appellate Authority.

(e): Yes. A show-cause notice was issued by IMA to one of its Member namely Dr. K.V. Babu. The matter was considered by the Ethics Committee of MCI which recommended that the IMA is a non-governmental association and it does not come under the purview of the IMC Act, 1956 and that the matter falls exclusively within the domain of IMA.